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Mail openings
over 20 years

No CIA charges planned

Associated Press

WASHINGTON — The Justice Department said yesterday it would not prosecute CIA employees who took part in a secret program of opening overseas mail from 1953 to 1973.

The department said that after a lengthy investigation it concluded that it is unlikely convictions could be obtained if charges were brought.

Under the 20-year mail surveillance program, the CIA opened letters addressed to thousands of Americans from such countries as the Soviet Union and China.

In a lengthy report, the Justice Department acknowledged that the mail openings "would be unlawful if undertaken today."

Nonetheless, the report said there would be no prosecutions because of the unavailability of important evidence and the "state of the law that prevailed during the course of the mail openings program."

The report said there was evidence "suggesting that President Eisenhower had knowledge of and approved" the program.

Interviews with senior officials of the Eisenhower Administration recalled that the mail opening program was discussed at Cabinet meetings, the report said.

It is not clear, the report said, how much former Presidents John F. Kennedy or Lyndon B. Johnson knew about the project, although both were briefed regularly by CIA officials on sensitive CIA operations.

Former President Richard M. Nixon has said he was aware that mail from China was being monitored but did not know any was being opened.

Thus, the department said that in a criminal trial it would be unable to prove that the CIA employees were acting without presidential knowledge or approval.

The department said its investigation showed that the CIA first monitored overseas mail of US citizens in February 1953 when envelopes to and from the Soviet Union were photographed with the cooperation of the postal department.

Gradually the program expanded to include opening and reading first-class mail coming through postal facilities in New York City.

In addition to opening mail in New York City, the report said, the CIA ran a West Coast operation in which more than 2100 pieces of mail from China were opened between 1969 and 1971. Any prosecution on that operation is barred by the statute of limitations, the department said.

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